

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

FARMERS MUTUAL FIRE INSURANCE
COMPANY OF OKARCHE,

Plaintiff,

v.

Case No.: CIV-22-752-F

HL MOTOR GROUP, INC. and OGNJEN
MILANOVIC,

Defendants.

**PLAINTIFF FARMERS MUTUAL FIRE INSURANCE COMPANY OF
OKARCHE'S PROPOSED VOIR DIRE OF JURORS**

Plaintiff Farmers Mutual Fire Insurance Company of Okarche (“Farmers Mutual”) respectfully requests that the Court question the jury panel as set forth below. Farmers Mutual further requests that in the event any prospective juror indicates he/she has a problem with insurance companies based on a prior experience, then Farmers Mutual requests that the Court call that person to the bench for additional questioning by the Court and counsel outside the presence of the remaining jurors.

DESCRIPTION OF THE CASE

In this case, Farmers Mutual sued Defendants HL Motor Group, Inc. and Ognjen Milanovic to recover payments made to its insured Earlene Carr, after Milanovic drove a truck owned by HL Motor Group into Ms. Carr’s home on August 8, 2020.

1. Familiarity With the Case.

- a. Do you, any members of your immediate family, or close personal friends have any knowledge of any kind regarding this lawsuit, other than what has been told to you here today?
- b. Have you seen, read, or heard anything about this case in any newspaper, magazine, television, online, or radio?
- c. Have you read or heard anything about this case from any source?

2. Familiarity With the Parties, Counsel, or Potential Witnesses.

- a. Have you or any relative or close friend ever worked for, been employed by, had any business association, or been insured by Farmers Mutual?
- b. If yes, has your experience with Farmers Mutual affected your ability to render an impartial verdict in this case?
- c. Have you or any relative or close friend ever worked for or had any business dealings with HL Motor Group? If yes, has your experience with HL Motor Group affected your ability to render an impartial verdict in this case?
- d. The lawyers representing Farmers Mutual are Jerry Pignato and Matt Kane of RYAN WHALEY, PLLC in Oklahoma City, Oklahoma. The lawyers representing Defendants HL Motor Group and Ognjen Milanovic are Michael Franz and Jeremy Schrag of LEWIS BRISBOIS BISGAARD & SMITH, LLP of Chicago, Illinois.
 - i. Do you know any of these lawyers, or anyone who works at their law firms?

- ii. Have you or any of your relatives or close friends worked for or applied for a job with any of these lawyers or law firms?
 - iii. Have you or any of your relatives or close friends ever been represented by any of these lawyers or law firms or been involved in any legal matter in which any of these lawyers or law firms represented another party?
- e. The following persons may be called as witnesses or referred to during this trial. Please raise your hand if you know or have had any contact or association, personal or professional, with any of these persons or organizations:

Gerald Knecht
Dan Webber, Sr., Esq.
Earlene Carr
Patrolman Wayne Linzy
Ognjen Milanovic
Alexander Saitov
Dakota Meadows
Giselle Zagari Stuppiello, MD
Kristine L. Rebik, DO
Scott Blair, DO
Jalla Aditi, MD
John Miller
Robert Chynoweth, P.E.
Scott Weber
Mark Romanowski

3. Education, Training, Employment, and Other Experience.

- a. Do you, any close friend, or any relative have any experience or special training in the insurance business?
- b. Do you, any close friend, or any relative have any experience or special training in the medical field or industry?
- c. Have you, a close friend, or any relative worked for a trucking company?
- d. Have you, a close friend, or any relative obtained a CDL license?
- e. Have you, a close friend, or any relative ever suffered a sudden loss of consciousness?
- f. Have you, a close friend, or any relative ever suffered from severe dehydration or been treated for dehydration?
- g. Are you, or any relative or close friend, a lawyer?
- h. Are you, or any relative or close friend, a judge, law clerk, law student, legal intern, court attendant, clerk, or part of the court's personnel?
- i. Have you, or any relative or close friend, had any legal training or experience?
- j. Have you, or any relative or close friend, ever worked at a law firm or for a lawyer in any capacity?
- k. Have you or any of your relatives or close friends ever settled a lawsuit to which you were a party?

4. Experience With Submitting a Claim to an Insurance Company

- a. Have you or any of your relatives or close friends ever submitted a claim to an insurance company?
- b. What were the circumstances surrounding the claim?
- c. Was the claim approved or denied? If denied, did you appeal the insurer's determination?
- d. Did you have to retain a lawyer or instigate litigation to resolve your claim?
- e. Did you have a negative experience with the insurance company as a result of your interactions?
- f. Would your experience with the insurance company have an effect on your ability to be fair and impartial here?

4. Experience With the Legal System.

- a. Have you ever served as a juror before? If so, please indicate:
 - i. The number of times;
 - ii. The dates of service;
 - iii. The type of case;
 - iv. Whether the verdict was for the Plaintiff or the Defendant;
 - v. Whether you served as the foreperson; and
 - vi. Whether your prior jury service might interfere with your ability to return a fair and just verdict in this case.
- b. Do you know any other member of the jury panel?

- c. Have you or any relative or close friend ever sued anyone or presented a claim against anyone? If so:
 - i. Please state the type of case or proceeding and your role in it.
 - ii. Is there anything about that experience that would prevent you from being fair to all parties in this case?
- d. Have you, or any relative or close friend, ever been sued? If so:
 - i. Please state the type of case or proceeding and your role in it.
 - ii. Is there anything about that experience that would prevent you from being fair to all parties in this case?
- e. Have you ever appeared as a witness, given testimony in court, or been deposed?

5. Bias, Prejudice, and Ability to Serve.

- a. Do you have any feelings either for or against insurance companies or trucking companies that would in any way affect your view in this case or make you more or less inclined to find in favor of either party?
- b. Do you believe that you may have difficulty in following the rule of law that your verdict may not be based on suspicion, guesswork, or assumptions, but that you must carefully consider all of the evidence and be convinced by the preponderance of the evidence?
- c. The Court will instruct you that, in arriving at a verdict, you must not be motivated by sympathy for or prejudice against any party, but that you must base your verdict solely on the evidence that will be produced in this

courtroom in light of the Court's legal instructions. Are you unwilling or unable to follow such a rule?

- d. Do you feel that you could follow the Court's instructions on the law governing this case, even though you might have a differing personal view as to what the law should be?
- e. During the course of this case, you will be instructed that you are not to read any newspaper coverage or watch or listen to any other media coverage about the case or about any issues or stories that may be related to the case. You also will be instructed that you may not speak with anyone about the case and that you cannot have any contact with any of the lawyers about the case. Do you have any reason why you may be unable or unwilling to follow those instructions?
- f. Do you have any reason to believe that you might be prejudiced or biased either for or against either party to this litigation?
- g. Do you have any negative feelings regarding lawsuits in general?
- h. It is estimated that the trial of this case will take approximately 2-3 days. In light of this, do you have any substantial reason why you could not serve as a member of the jury in this case?
- i. Do you have any physical condition that makes it:
 - i. Uncomfortable to sit for a long period of time?
 - ii. Difficult to hear what is going on in the courtroom?

- iii. Difficult to see exhibits or other pieces of evidence that may be used during the trial?
 - iv. Some other type of physical problem that might interfere with your ability to concentrate on the case and what is going on in the courtroom?
- j. Do you have any type of personal problems or other pressing matters of concern that would make it difficult or impossible for you to concentrate on what is going on during the trial because your mind would be elsewhere?
- k. Have you, a family member, or close friend, suffered from diabetes, epilepsy, a seizure disorder or sudden loss of consciousness?
- i. If so, please explain.
 - ii. Would your experience in this regard affect your ability to render an impartial verdict in this case?
- l. Are you, a family member or a close friend a medical professional?
- i. If so, please explain.
 - ii. Would your experience in this regard affect your ability to render an impartial verdict in this case?
- m. If you were selected as a juror in this case, do you know of any reason why you could not sit as an impartial juror?
- n. Do you have any reason whatsoever why you would prefer not to serve as a juror in this case? If so, what is that reason?

Respectfully submitted,

/s/ Matthew C. Kane

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CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2023, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Michael T. Franz, Esquire

Jeremy K. Schrag, Esquire

/s/ Matthew C. Kane

For the Firm